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AUG 25 2006

PATENT APPLICATION

ATTORNEY DOCKET NO. 200308343-1

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Michael Carleton et al

Confirmation No.: 4021

Application No.: 09/684472

Examiner:

Filing Date: Oct 06, 2000

Group Art Unit:

Title: Modular, Dynamically Extensible, And Integrated Storage Area Network Management System

Mail Stop 16
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND
IMPROPER CHARGE OF DEPOSIT ACCOUNT

I. REFUND REQUEST

This is a request for a refund in the amount of \$ 120.00, with respect to the charge to the Deposit Account No. 08-2025, shown on the statement dated 3-31-2006, for the above identified patent application.

II: FEES CHARGED FOR WHICH REFUND IS REQUESTED

1251 for \$120.00

III: EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

Appellant filed a Notice of Appeal on 12/14/2005 along with a pre-appeal brief request for conference. The Notice of Panel Decision from Pre-appeal Brief Review was mailed on 01/27/2006 stating: "The time period for filing an appeal brief will be reset to be one month from mailing this decision, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater." Thus, the appeal brief was not due until 02/27/06 as that is the greater of the two dates. The appeal brief was filed on 02/27/2006 so no extension of time fee was due.

IV: MANNER OF REFUND

Please make refund of \$ 120.00 crediting Account No. 08-2025.

- ☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450
Date of Deposit:

OR

- ☒ I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300.
Date of facsimile: August 25, 2006

Typed Name: Donna M Kraft

Signature: 

Respectfully submitted,

Michael Carleton et al

By 

Augustus W. Winfield

Attorney/Agent for Applicant(s)

Reg No.: 34,042

Date: AUG 24, 2006

Telephone: 970 898 3142

Rev 10/05 (Refund)

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200308343-1

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|--------------|----------------------|---------------------|------------------|
| 09/684,472 ✓ | 10/06/2000 ✓ | Suben Krishnaswamy | PD99-2879 | 4021 ✓ |

 7590 01/27/2006
HEWLETT-PACKARD COMPANY
 P. O. 272400
 FT. COLLINS, CO 80527-2400

EXAMINER

LEE, PHILIP C

ART UNIT

PAPER NUMBER

3154

DATE MAILED: 01/27/2006


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AUG 25 2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

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| | | |
|--|--|---|
| Application Number  | Application/Control No. 09/884,472 Philip Lee | Applicant(s)/Patent under Reexamination KRISHNAMOORTHY ET AL. Art Unit 2154 |
| Document Code - AP.PRE.DEC | | |

Notice of Panel Decision from Pre-Appeal Brief Review



This is in response to the Pre-Appeal Brief Request for Review filed 12/14/05.

1. ☐ **Improper Request** – The Request is improper and a conference will not be held for the following reason(s):

- ☐ The Notice of Appeal has not been filed concurrent with the Pre-Appeal Brief Request.
- ☐ The request does not include reasons why a review is appropriate.
- ☐ A proposed amendment is included with the Pre-Appeal Brief request.
- ☐ Other:

The time period for filing a response continues to run from the receipt date of the Notice of Appeal or from the mail date of the last Office communication, if no Notice of Appeal has been received.

2. ☒ **Proceed to Board of Patent Appeals and Interferences** – A Pre-Appeal Brief conference has been held. The application remains under appeal because there is at least one actual issue for appeal. Applicant is required to submit an appeal brief in accordance with 37 CFR 41.37. The time period for filing an appeal brief will be reset to be one month from mailing this decision, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater. Further, the time period for filing of the appeal brief is extendible under 37 CFR 1.136 based upon the mail date of this decision or the receipt date of the notice of appeal, as applicable.

☒ The panel has determined the status of the claim(s) is as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1B-35

Claim(s) withdrawn from consideration: _____

3. ☐ **Allowable application** – A conference has been held. The rejection is withdrawn and a Notice of Allowance will be mailed. Prosecution on the merits remains closed. No further action is required by applicant at this time.

4. ☐ **Reopen Prosecution** – A conference has been held. The rejection is withdrawn and a new Office action will be mailed. No further action is required by applicant at this time.

All participants:

(1) John Follansbee **JOHN FOLLANSBEE**
SUPERVISOR PATENT EXAMINER
TECHNOLOGY CENTER 2100

(2) Philip Lee

(3) Rupal Dharia

(4) _____

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Part of Paper No. 20060120



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MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

HEWLETT-PACKARD COMPANY
MARIA CARROLL/CORA NEUBERGER
INTELLECTUAL PROPERTY ADMINIS. M/S 35
P.O. BOX 272400
FT. COLLINS CO 80527-2400

FINA

| | |
|-------------|---------|
| Account No. | 082025 |
| Date | 3-31-06 |
| Page | 18 |

PLEASE SEND REMITTANCES TO:
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| DATE POSTED | CONTROL NO. | DESCRIPTION (Serial, Patent, TM, Order) | DOCKET NO. | FEE CODE | CHARGES/ CREDITS | BALANCE |
|--|-------------|--|-----------------|---------------|---------------------|-----------------|
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| 3 14 06 | 482 | 11264635 | 200312184-1 | 8021 | 40.00 | 1028098.40 |
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| 3 15 06 | 1 | 09684472 | 200308343- | 1251 | 120.00 | 1024725.40 |
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| 3 15 06 | 6 | 10350731 | 100204697-1 | 1501 | 1400.00 | 1022755.40 |
| AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT | | | OPENING BALANCE | TOTAL CHARGES | TOTAL CREDITS | CLOSING BALANCE |

MS020C (11/2005)

PAGE 4/4 * RCVD AT 8/25/2006 10:24:59 AM (Eastern Daylight Time) * SVR:USPTO-EF-XRF-6/39 * DNIS:2738300 * CSID:9708987247 * DURATION (mm:ss):00:46

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03/15/2006 LHINTON 00000001 082025 09684472

01 FC:1251 120.00 DA

Adjustment date: 09/13/2006 ZJUHA1
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